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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/870,809	05/31/2001	Kazuaki Nakajima	P/289-165	1249
7590	06/15/2005			EXAMINER
STEVEN I. WEISBURD, ESQ. DICKSTEIN SHAPIRO MORIN & OSHINSKY, LLP 1177 AVENUE OF THE AMERICAS- 41ST FLOOR NEW YORK, NY 10036-2714			BAYARD, DJENANE M	
			ART UNIT	PAPER NUMBER
			2141	

DATE MAILED: 06/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/870,809	NAKAJIMA, KAZUAKI	
	Examiner Djenane M. Bayard	Art Unit 2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 30 November 2004.

2a) This action is FINAL.                            2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1,3,4,6,7,9-11,13 and 14 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1,3,4,6,7,9-11,13 and 14 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1,4, 7, 10-11 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application No. 2001/0037266 to Schroeder in view of U.S. Patent No. 6,697844 to Chan et al.

a. As per claims 1 and 4, Schroeder teaches a method of identifying a server from a client terminal having a browser and a processor, said server and said client terminal being connectable with each other via a communications network, comprising the steps of: a) transmitting a first request packet from said browser to said server; b) receiving the first request packet at said server and transmitting therefrom server specific information to said browser, indicating a server in which shared data file is maintained; c) receiving said server specific information at said browser and invoking said processor to hand over the received information to the processor; d) transmitting a second request packet from the processor to a server specified by the received server specific information; and e) receiving the second request packet at the specified server and

transmitting therefrom said shared data file to said processor (See page 3 paragraph 0037].

However, Schroeder fails to teach f) transmitting a third request packet from said processor to the specified server and transmitting therefrom differential data representing a difference between the shared data file maintained by the server and the shared data file stored in said memory device.

Chan et al teaches an Internet browsing using cache based compaction. Furthermore, Chan et al teaches transmitting a third request packet from said processor to the specified server and transmitting therefrom differential data representing a difference between the shared data file maintained by the server and the shared data file stored in said memory device (See col. 4, lines 40-58 and col. 6, lines 1-15).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate transmitting a third request packet from said processor to the specified server and transmitting therefrom differential data representing a difference between the shared data file maintained by the server and the shared data file stored in said memory device as taught by Chan et al in the claimed invention of Schroeder in order to transmit only changes between current and past information (See col. 2, lines 9-15).

b. As per claims 7 and 11, Schroeder teaches a communications network ; a server connected to the network; and a client terminal connected to the network, the client terminal having a processor and a browser, the browser transmitting a first request packet to said server; said server being responsive to said first request packet for transmitting a server specific information to said browser for indicating a server in which shared data file is maintained, said

browser being responsive to said server specific information for invoking said processor to hand over the received information thereto, said processor being responsive to the received information for transmitting a second request packet to a server specified by the received information and being configured to store the shared data file from said specified server in said memory device (See page 3, paragraph [0037]). Remarks : It is inherent that the client terminal has a processor in order to process the request and the response from the server. However, Schroeder fails to teach transmit a third request packet to the specified server, and the specified server being responsive to the second request packet for transmitting said shared data file to said processor and being configured to transmit differential data representing a difference between the shared data file maintained by the server and the shared data file stored in said memory device

Chan et al teaches an internet browsing using cache based compaction. Furthermore, Chan et al teaches transmitting a third request packet from said processor to the specified server and transmitting therefrom differential data representing a difference between the shared data file maintained by the server and the shared data file stored in said memory device (See col. 4, lines 40-58 and col. 6, lines 1-15).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate transmitting a third request packet from said processor to the specified server and transmitting therefrom differential data representing a difference between the shared data file maintained by the server and the shared data file stored in said memory device as taught by Chan et al in the claimed invention of Schroeder in order to transmit only changes between current and past information (See col. 2, lines 9-15).

c. As per claims 10 and 14, Schroeder in view of Chan et al teaches the claimed invention as described above. Furthermore, Schroeder teaches wherein said server is configured to receive server specific information from another server of the network and transmits the received server specific information to said browser (See page 3, paragraph [0037]).

3. Claims 3, 6, 9 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application No. 2001/0037266 to Schroeder in view of U.S. Patent No. 6,697844 to Chan et al. as applied to claims 1, 4, 7 and 11 above, and further in view of U.S. Patent No. 5,852,717 to Bhide et al.

a. As per claims 3, 6, 9 and 13, Schroeder teaches the claimed invention as described above. However, Schroeder fails to teach wherein said network includes a cache memory, and wherein said second request packet contains an identifier identifying said shared data file, said identifier being determined for each access from said processor to said server so that the shared data file identified by said identifier does not coincide with data stored in said cache memory.

Bhide et al teaches wherein said network includes a cache memory, and wherein said second request packet contains an identifier identifying said shared data file, said identifier being determined for each access from said processor to said server so that the shared data file identified by said identifier does not coincide with data stored in said cache memory (See col. 12, lines 15-35)

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein said network includes a cache memory, and wherein said second request packet contains an identifier identifying said shared data file, said identifier being determined for each access from said processor to said server so that the shared data file identified by said identifier does not coincide with data stored in said cache memory as taught by Bhide et al in the claimed invention of Schroeder in order to set up the cache of information and realize a performance increase (See col. 8, lines 1-3).

*Conclusion*

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Djenane M. Bayard whose telephone number is (571) 272-3878. The examiner can normally be reached on Monday- Friday 5:30 AM- 3:00 PM..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Djenane Bayard

Patent Examiner



**RUPAL DHARIA**  
**SUPERVISORY PATENT EXAMINER**